



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: June 27, 2024

TIME: 1:24 PM

WSR 24-14-064

**Agency:** Health Care Authority

**Subject of possible rule making:** WAC 182-538-110, The grievance and appeal system and agency administrative hearing for managed care organization (MCO) enrollees; other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.021, RCW 41.05.160

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency is amending this rule to align it with applicable federal government regulations and simplify the managed care organization (MCO) appeal process by removing the requirement that the MCO confirm an oral appeal in writing and removing the requirement that the MCO acknowledge receipt of each appeal in writing. During this review, HCA may identify additional related changes that are required to improve clarity or update policy.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** United States Department of Health and Human Services, Centers for Medicare and Medicaid Services

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The agency welcomes the public to take part in developing this rule. If interested, contact the person

identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Brian Jensen (Rulemaking Questions)  
 Address: PO Box 42716, Olympia, WA 98504-2716  
 Phone: 360-725-0815  
 Fax: 360-586-9727  
 TTY: Telecommunication Relay Services (TRS): 711  
 Email: [brian.jensen@hca.wa.gov](mailto:brian.jensen@hca.wa.gov)  
 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

(If necessary)

Name: Jodie Arneson (Program Questions)  
 Address: PO Box 45506, Olympia, WA 98504-5506  
 Phone: 360-725-1410  
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 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

Additional comments:

**Date:** June 27, 2024

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**